BEFORE THE HON'BLE HIGH COURT OFJUDICATURE AT BILASPUR(CHG.)

W.P. 166 /2003

Petitioner : Suresh Kumar Sahu s/o Shri Brijlal Sahu aged 39 years, Assistant Teacher, Govt.Girls Primary School Kusmi, Block Berla, Education District-Bemetara.(Disabled person). Permanent resident of - village Modipat Post Khursuni via Arjunda,Distt.Durg (C.G.).

Versus.

Respondents: (1) The State Govt.of Chhattisgarh Secretary, Department of School Education, State Government of Chhattisgarh D.K.S.Bhawan, RAIPUR.

(2) District Education Officer, Bemetara, Distt.Durg (C.G.).

(3) Block Education Officer, Berla, Distt. DURG (C.G.).

Writ petition under Article 226/227 of the Constitution of India.

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HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 166 of 2003

Petitioner : Suresh Kumar Sahu

Versus

Respondents : The State Govt. of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri Ajay Shrivastava, Advocate for the Petitioner.

Miss Deepali Pandey, Panel lawyer for the State/respondents.

ORDER

(29th November, 2006)

1. Learned counsel for the petitioner submits that the petitioner has filed an affidavit dated 27.11.2006, stating that the petitioner is not pressing any other relief, except the grant of regular pay scale w.e.f. the initial appointment dated 28.6.1986. Thus, in this petition only the issue, asto whether the petitioner is entitled to the grant of regular pay scale from the initial date of appointment i.e. 28.6.1986, is being considered.

2. The petitioner was appointed as Assistant Teacher vide order dated 28.6.1986 (Annexure P/1), wherein it was provided that the petitioner would be granted pay scale of Rs. 545-925/- after a period of one year. It was further provided that the petitioner would be entitled to the fixed pay of Rs. 300/- for a period of one year.

3. Learned counsel for the petitioner submits that similarly situated employees who were initially granted a fixed pay of Rs. 300/- for a period of one year and after completion of two years period they were granted of Rs. 545-925/- had approached the Madhya Pradesh State Administrative Tribunal. The Tribunal passed the

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order on 24.8.1992 in O.A.No. 2745 of 1989 (Madhukant Yadu and 56 others Vs. State of M.P. & others).

4. Learned counsel for the petitioner further submits that the case of the petitioner is squarely covered by the order dated 7th November, 2006, passed by this Court in Writ Petition (S) No. 5976/2006 (Sushil Tiwari & others Vs. State Govt. of Chhattisgarh & others). Copy of the order is taken on record.

5. Learned counsel appearing for the respondents/State does not dispute the submissions made by learned counsel for the petitioner.

6. Accordingly, this petition stands disposed of in terms of the order dated 7th November, 2006 passed by this Court in W.P.(S) No. 5976 of 2006.

Sd/-
Satish K. Agnihotri
Judge

Thakur